



***Board of Zoning Appeals Public Hearing
October 18, 2011 —7:00 P.M***

CASE NUMBER:	V-11-031, 032, 033, 034, and 035
PROPERTY LOCATION:	8500 Block of Colony Club Drive, Johns Creek, GA 30022 0 – 100 Block of Colony Ridge Drive, Johns Creek, GA 30022 1st District, 2nd Section Land Lot 887 & 888
CURRENT ZONING:	CUP Conditional (Community Unit Plan)
PARCEL SIZE:	1.351 Acres
PROPERTY OWNER:	Rivermont Homeowners Association

REQUEST

The Rivermont homeowners association seeks to resurface and reconstruct the existing tennis courts in their existing location, and to replace existing court lighting. The subject property is an established amenity area of Rivermont subdivision, and under current regulations is required to maintain a 25-foot landscape strip adjacent to public streets, and a 100-foot building setback from all property lines for recreational courts, accessory structures, and parking. The applicant has requested a variance to encroach 92 feet into the 100-foot building setback and 17 feet into the 25-foot landscape strip. In conjunction with the reconstruction of the tennis courts, the applicant seeks to replace existing light poles with new light poles and fixtures, and also install additional light poles along the perimeter of the courts. With the placement of the tennis courts, associated light poles would be unable to comply with the 50-foot light pole setback required for outdoor recreational facilities, and a variance has been requested by the applicant to encroach 33 feet into the 50-foot light pole setback from all property lines. The applicant has subsequently requested a variance to exceed the maximum allowable exterior illumination of 1.2 foot candles along adjoining property lines, as the photometric plan shows the exterior illumination emitted along the north and west residential property lines may range from 0.5 to 8.5 foot candles. Although the site is surrounded by private roads, the Department would note that the maximum illumination level on adjacent property lines would be under 0.5 foot candles. In addition, the applicant has requested a variance to eliminate the provision of off-street parking for the tennis courts, as the site does not currently contain any on-site parking spaces.

The Department would note that the tennis courts are currently non-conforming. The destruction of more than sixty percent of the gross square footage of the courts will require the applicant to bring the tennis courts and adjoining amenity area into compliance with the provisions Zoning Ordinance. Although several variances are required, the property would remain as it is currently configured. Staff has observed from a recent site visit to the property that the perimeter of the amenity area is lined with existing evergreens, shrubs, and ornamental ground cover, functioning as a visual screen for adjacent residential dwellings. Staff would recommend preservation of the existing landscape strip established along the boundary of the amenity area during reconstruction of the tennis courts. The applicant has indicated in their letter of intent that the proposed reconstruction will not enlarge or alter the shape or size of the existing tennis courts.

ADJACENT ZONING AND LAND USES

The subject property is the amenity area for Rivermont subdivision, zoned CUP Conditional (Community Unit Plan). The amenity area is located internally to the subdivision and abuts the Rivermont Colony townhomes to the north and east property lines. Further east and south of the subject property are River Ridge and Rivermont Village subdivisions, both are subsidiary communities located within the larger Rivermont development and zoned CUP Conditional. Further south is Rivermont Station Shopping Center, which has frontage along Holcomb Bridge Road, and is zoned C-1 Conditional (Community Business District).

APPLICABLE CODE REQUIREMENTS

City of Johns Creek Zoning Ordinance; Article XIX: Administrative Permits and Use Permits; Section 19.3.8.: Recreational Court, Private; B. Standards.

3. Neighborhood. Recreational courts serving a neighborhood must be located within the limits of the underlying zoning.

b. Recreational courts, accessory structures, fencing, and parking shall be located **a minimum of 100 feet from all adjoining property lines**.

c. Landscape strips and buffer requirements shall be as specified by Article 4.23.1. (****Front landscape areas are per requirements found in Community Standards [12.E.], depending on road frontage*).

e. Sources of exterior illumination shall be directed away from adjoining residences and **shall not exceed 1.2 foot candles along an adjoining residential property line**. Outdoor lighting of recreation facilities in or adjoining residential districts or uses shall be allowed only between dusk and 11:00 P.M.

City of Johns Creek Zoning Ordinance; Article IV: General Provisions; Section 4.9.: Night Sky Ordinance; Subsection 4.9.5.: Special Uses.

A.: Outdoor Sports, Recreation Fields, or Performance Areas.

5. Setback. **All light poles shall be set back the greater of fifty feet or one foot for every foot in height from any residential property line or right-of-way.**

City of Johns Creek Zoning Ordinance; Article XII-E: Community Standards; Section 12E.3.: Development Standards; A. Landscaping.

3. A **minimum 25-foot wide landscape strip** shall be provided along the proposed future rights-of-way of all other public streets when Article 4 of the Zoning Ordinance otherwise specifies a smaller landscape strip.

City of Johns Creek Zoning Ordinance; Article XVIII: Off Street Parking and Loading; Section 18.2.1.: Basic off-street parking requirements.

Recreation, Private (Tennis Court): **3 parking spaces per court**.

Aerial and Vicinity Map

